

## United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	00 C 4120	DATE	8/1/2000
CASE TITLE	Hoshaw vs. GAF Corp, et al.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]

## MOTION:

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## DOCKET ENTRY:

(1)	<input type="checkbox"/>	Filed motion of [ use listing in "Motion" box above.]
(2)	<input type="checkbox"/>	Brief in support of motion due _____.
(3)	<input type="checkbox"/>	Answer brief to motion due _____. Reply to answer brief due _____.
(4)	<input type="checkbox"/>	Ruling/Hearing on _____ set for _____ at _____.
(5)	<input type="checkbox"/>	Status hearing[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(6)	<input type="checkbox"/>	Pretrial conference[held/continued to] [set for/re-set for] on _____ set for _____ at _____.
(7)	<input type="checkbox"/>	Trial[set for/re-set for] on _____ at _____.
(8)	<input type="checkbox"/>	[Bench/Jury trial] [Hearing] held/continued to _____ at _____.
(9)	<input type="checkbox"/>	This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to] <input type="checkbox"/> FRCP4(m) <input type="checkbox"/> General Rule 21 <input type="checkbox"/> FRCP41(a)(1) <input type="checkbox"/> FRCP41(a)(2).
(10)	<input checked="" type="checkbox"/>	[Other docket entry]   Rule 27 hearing held. Petitioner's rule 27 petition is granted. Limited discovery documents to be served no later than two days prior to deposition. Enter Order.
(11)	<input checked="" type="checkbox"/>	[For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials  rs	ED-7 FILED FOR DOCKETING 00-AUG -7 PM 4: 11	number of notices	Document Number  7
			AUG 08 2000 date docketed	
			<i>[Signature]</i> docketing deputy initials	
			date mailed notice	
			mailing deputy initials	
		Date/time received in central Clerk's Office		

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS,  
EASTERN DIVISION

CLARENCE A. HOSHAW,  
Petitioner,

v.

GAF CORPORATION, a corporation,  
U.S. GYPSUM COMPANY, a corporation,  
THE FLINTKOTE COMPANY, a corporation, and  
A.P. GREEN INDUSTRIES, INC., a corporation,  
Respondents.

Case No: 00 C 4120

DOCKETED  
AUG 07 2000

ORDER

THIS CAUSE coming on for hearing in open court upon Petitioner's Petition to Perpetuate Testimony Pursuant to Federal Rule of Civil Procedure 27, due and proper notice having been given, the court considering the arguments of counsel for Petitioner and for Respondent United States Gypsum Company (USG) and the sworn testimony, through telephonic means, of Petitioner, the Court being fully advised in the premises;

IT IS HEREBY ORDERED:

1. Petitioner's Rule 27 Petition is granted.
2. Petitioner's Rule 27 Deposition to Perpetuate Testimony shall take place within 7 to 14 days from today's date, at Petitioner's home or such other place designated by Petitioner's counsel at a date and time as set forth in Petitioner's notice of deposition.
3. Petitioner's notice of deposition shall be deemed sufficient if made in conformity with the requirements of FRCP 30 (b), and shall be deemed timely if served on the parties via U.S. Mail, First Class within five business days of the date of the deposition; otherwise service shall be made via facsimile transmission and/or overnight mail or overnight delivery service no later than four days prior to the scheduled deposition. For purposes of service of notice of this deposition, service shall be properly made if made on the parties and upon counsel for USG Tobin Taylor of Heyl Royster Voelker & Allen, who appeared of record in this matter in open court.
4. Petitioner's counsel shall serve defendants via US Mail, First Class within five business days, or via facsimile transmission and/or overnight mail or overnight delivery service no later than two days prior to the date of the deposition:
  - a. Copies of medical records currently available to petitioner's counsel;
  - b. Job site and work history information currently available to petitioner's counsel.
5. Service of the items listed in paragraph four shall be deemed properly made if made on the parties and upon counsel for USG, Tobin Taylor of Heyl Royster Voelker & Allen, who appeared of record in this matter in open court.

Dated: 8/2/00

Entered:

*Blanche M. Manning*

The Honorable Blanche M. Manning  
United States District Judge